Criminal Misc. Application No. 807 of 2006

Hon. Prafulla C. Pant, J.

Heard Shri A.K. Joshi, learned counsel for the petitioners and Shri Chandra Mauli Shah, learned counsel for respondent No. 2.

By means of this petition, moved under Section 482 of Code of Criminal Procedure, 1973, the petitioners have sought quashing of charge sheet relating to criminal case No. 2121 of 2006, State Vs. Ved Vrat Shastri and others punishable under Section 406, 420, 120 B I.P.C.

Learned counsel for the petitioners, argued that they are innocent and falsely implicated in the crime. The question as to the innocence of the accused is to be seen by the trial court. This Court cannot examine the question of innocence of the accused at this stage particularly when the prosecution evidence is yet to be recorded by the trial court. The case relates to fraudulent transactions with the bank in which one Ved Vrat Shastri, appears to be main accused.

After going through the First Information Report and other papers on record, relating to offence punishable under Section 406, 420, 120 B I.P.C., this Court is not inclined to grant any relief under Section 482 of Cr.P.C.

Accordingly, the petition under Section 482 of Cr.P.C. is dismissed in limine with the observation that if the petitioners are arrested or surrender before the trial court and move bail application, their bail application shall be heard and disposed of without any unreasonable delay.

Dt. 18.10.2006 (P.C. Pant, J.)

S